

ATTACHMENT 8

STIPULATED AMENDMENT No. 1 to Agreed Order No. 01HWTRNR-3345

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

In the Matter of Remedial Action by:)
) STIPULATED AMENDMENT No. 1
The Boeing Company) TO AGREED ORDER
Boeing Commercial Airplanes) No. 01HWTRNR-3345
Fabrication Division – Auburn Plant)
700 15 th Street SW)
Auburn, Washington 98002)
_____)

WHEREAS, the Washington State Department of Ecology (“Ecology”) and The Boeing Company – Boeing Commercial Airplanes, Fabrication Division – Auburn Plant (“BCA - Auburn Plant”) have entered into an Agreed Order No. DE 01HWTRNR-3345 (“Auburn Agreed Order”); and

WHEREAS pursuant to Section VII.5. of the Auburn Agreed Order, the Boeing Auburn Facility and Ecology now agree to modify Section VI.1., Paragraph 1; and

WHEREAS Ecology has determined that this modification is not substantial;

THE PARTIES HEREBY STIPULATE:

1. Section VI.1., Paragraph 1 is amended to include the following:
 - (A) Within 30 days of the effective date of these Stipulated Amendments to Agreed Order No. DE 01HWTRNR-3345, the BCA – Auburn Plant shall submit a proposal for monitoring groundwater at wells AGW-092, AGW-093, and AGW-094. This groundwater monitoring plan shall cover four monitoring events and shall propose a monitoring interval agreeable to both Boeing and Ecology. The BCA – Auburn Plant shall present the results of the four monitoring events in a final report and shall propose remedial action in the final report if the levels of diesel and motor oil in the groundwater are:
 - (i.) increasing in one or more wells and the levels do not meet either MTCA Method A, WAC173-303-720(3), or MTCA Method B standards as determined under WAC173-340-720(4)(b)(iii)(C); or
 - (ii.) decreasing in one or more wells and the levels do not meet either MTCA Method A, WAC173-303-720(3), or MTCA Method B standards as determined under WAC173-340-720(4)(b)(iii)(C).

If the levels of diesel or motor oil meet MCTA standards, but there are increasing trends in one or more wells that indicate there could be future elevated levels above the MTCA Standards in groundwater from these two wells, then Boeing shall propose continued monitoring of the wells until the levels remain below the MTCA Standards and show no such trends.

Boeing may elect to take independent remedial action at any time to clean up the site so that levels of diesel or motor oil in the groundwater drop consistently below MTCA Standards.

Boeing may request Ecology to review a petition for the discontinuation of groundwater monitoring based on the groundwater monitoring results presented in the final report or based on documented results of the independent remedial action activities. Ecology may approve Boeing's request or may include a requirement for additional remediation activities to be proposed in Boeing's Feasibility Study, required by Section VI.5. in the Agreed Order for the BCA – Auburn plant site.

- (B.) Upon the effective date of the Stipulated Amendments to Agreed Order No. DE 01HWTRNR - 3345, the BCA - Auburn Plant shall incorporate groundwater monitoring of the sentry wells, Nos. AGW-87, AGW-88, AGW-89, AGW-90, AGW-91, AGW-74, and of the up-gradient well, No. AGW-36, into the site-wide groundwater monitoring plan. These wells shall be included in proposed future groundwater monitoring as part of the BCA - Auburn Plant's groundwater compliance monitoring system conducted at the point of compliance in accordance with the requirements of WAC 173-303-646(2)(d)(vii) and WAC 173-340-720(8).
- (C.) Within 30 days of the effective date of the Stipulated Amendments to Agreed Order No DE 01 HWTRNR - 3345, the BCA - Auburn Plant shall follow the procedures outlined in Attachment A to the Stipulated Amendments. The BCA-Auburn Plant will record a restrictive covenant to run with the deed of the BCA - Auburn Plant property (SE Property) that is to be transferred to a new owner.

2. Effective date of this Stipulated Agreement: _____

THE BOEING COMPANY
By, through, and for its COMPANY SAFETY,
HEALTH and ENVIRONMENTAL AFFAIRS
By: Mr. Kirk Thompson
Director of Environmental Affairs

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
By: Julie Sellick, Section Manager
Hazardous Waste and Toxics Reduction
Northwest Regional Office

Date: _____

Date: _____
